

EXHIBIT B

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
HONORABLE STEPHEN V. WILSON, U.S. DISTRICT JUDGE

LARRY JONES,

Plaintiff,

VS.

No. 2:24-CV-01388-SVW-ADS

COUNTY OF LOS ANGELES, ET AL

Defendants.

EXCERPTED TESTIMONY OF DEPUTY IRA YNIGO

REPORTER'S TRANSCRIPT OF JURY TRIAL - DAY 1

LOS ANGELES, CALIFORNIA

THURSDAY, AUGUST 15, 2024

9:00 A.M.

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UNITED STATES DISTRICT COURT
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

- A-P-P-E-A-R-A-N-C-E-S -

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-I-N-D-E-X -

TESTIMONY OF IRA YNIGO

Direct Examination
By Mr. Alaric-Lorenzo` 4

- E-X-H-I-B-I-T -

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THURSDAY, AUGUST 15, 2024; 9:00 A.M.

LOS ANGELES, CALIFORNIA

(WHEREUPON, additional matters were heard by
the Court, after which the following excerpt
of Deputy Ira Ynigo's testimony from the
proceedings was requested as follows:)

MR. ALARIC-LORENZO: Your Honor, plaintiffs
call defendant Ynigo.

THE COURT: All right.

(WHEREUPON, the witness was sworn in by the
Courtroom Deputy.)

THE WITNESS: My name is Ira Ynigo. That's
I-R-A, Y-N-I-G-O.

* * *

IRA YNIGO,
was called as a witness, and after having been duly sworn,
took the witness stand and testified as follows:

DIRECT EXAMINATION

QUESTIONS BY MR. ALARIC-LORENZO:

Q. Good afternoon, Mr. Ynigo.

A. Yes.

Q. Do you know the plaintiff in this action?

1 A. Yes.

2 Q. You currently work at the Men's Central Jail.

3 A. I do, yes.

4 Q. And you're a sheriff's Deputy, correct?

5 A. I am, yes.

6 Q. On September 19, 2023, you were working as a
7 Sherrif's Deputy at the Men's Central Jail, correct?

8 A. Correct.

9 Q. And you were assigned to the 7,000 floor?

10 A. At the time, yes.

11 Q. And it is true that on that day, you received a
12 distress call that plaintiff had fallen in the shower,
13 correct?

14 A. False.

15 Q. Did you respond to a call that plaintiff had fallen
16 in the shower on September 19, 2023?

17 A. I did not, no.

18 Q. Did you take plaintiff to go get a shower on
19 September 19, 2023?

20 A. Yes.

21 Q. Did you escort him back to his cell?

22 A. Yes.

23 Q. Isn't it true that you went there with another
24 Deputy called "Arambulo"?

25 MS. KELLY: Objection. Vague and ambiguous as

1 to time.

2 **THE COURT:** Yeah, I mean, when -- are you
3 saying when he took him to the shower or when he came
4 back to the shower?

5 **MR. ALARIC-LORENZO:** When he went back to get
6 plaintiff out.

7 **THE COURT:** Okay.

8 **THE WITNESS:** No, I was told to go there as
9 directed by Sergeant Arambulo.

10 *BY MR. ALARIC-LORENZO*

11 Q. And why did he tell you to go back?

12 **MS. KELLY:** Objection. Speculation.

13 **THE COURT:** Well, what did he say?

14 *BY MR. ALARIC-LORENZO*

15 Q. What did he say?

16 A. Due to Larry's recalcitrant behavior, he had me
17 respond to him to the 7,000 hard row.

18 Q. Were you inside the shower with plaintiff Jones
19 when he took his shower?

20 A. No, there's not enough room.

21 Q. When you left him in the shower -- when you
22 escorted him to go get a shower, did you exit the floor,
23 the 7,000 floor?

24 A. No, I did not.

25 Q. What did you do?

1 A. I continued my module operations for the floor.

2 Q. Were you in the same -- I'll play a video.

3 When you say you continued your operations,
4 I'm asking -- I'm trying to find out, were you in
5 the same, like, the row where you have plaintiff
6 and Mr. Turner and Mr. Gay?

7 A. You're talking about the hard row.

8 Q. Yes.

9 A. No, I was not currently on the row.

10 Q. And then Deputy Arambulo tells you that plaintiff
11 is being recalcitrant, correct?

12 A. Yes.

13 Q. Did you find out exactly what the reason was for
14 him to have arrived at that conclusion?

15 A. At the time, no.

16 Q. But you believed him immediately.

17 **MS. KELLY:** I'm sorry?

18 **THE WITNESS:** What?

19 *BY MR. ALARIC-LORENZO*

20 Q. You believed him immediately -- you said plaintiff
21 was being recalcitrant, correct?

22 A. It's not a form of belief, it's just, whatever my
23 Sergeant tells me to do, I have to do it. I was ordered.

24 Q. So, it is fair to say that when you were
25 approaching or when you returned to the shower, after you

1 escorted plaintiff to go get a shower, take a shower, the
2 next time that you were approaching that shower, you were
3 approaching it knowing that you were going to meet
4 someone who was being recalcitrant, correct?

5 **MS. KELLY:** Objection. Argumentative. Lacks
6 foundation.

7 **THE COURT:** Overruled.

8 **MR. ALARIC-LORENZO:** His answer.

9 **THE WITNESS:** Can you rephrase that?

10 *BY MR. ALARIC-LORENZO*

11 Q. After the deputy -- after Deputy Arambulo told you
12 that plaintiff was being recalcitrant, is it fair to say
13 that when you were returning to go meet plaintiff, you
14 had in your mind that plaintiff, or the person that you
15 were going to meet, was someone who was being
16 recalcitrant?

17 A. Yes.

18 Q. How long have you worked as a Deputy at the Men's
19 Central Jail?

20 A. Currently or at the time of the incident?

21 Q. Entirely, like --

22 **THE COURT:** When?

23 *BY MR. ALARIC-LORENZO*

24 Q. How long have you worked at the Men's Central Jail?

25 **THE COURT:** The relevant time is that at the

1 time of this incident, September 2023.

2 **MR. ALARIC-LORENZO:** No, I don't want to limit
3 it to that, Your Honor.

4 **THE COURT:** I do.

5 **MR. ALARIC-LORENZO:** Okay. I respect you.

6 **THE COURT:** I do.

7 How long were you working the jail by
8 September 19, 2023?

9 **THE WITNESS:** Approximately three years, Your
10 Honor.

11 *BY MR. ALARIC-LORENZO*

12 Q. And within that time, are there times when you
13 would be sent to go maybe take care of some issue
14 relating to an inmate and you would not be told that that
15 person is being recalcitrant?

16 A. Yes.

17 Q. And were there times when they would tell you the
18 person you're going to meet is being recalcitrant?

19 A. That's fair to say, yes.

20 Q. As you sit here today, the response that you
21 provide or the response that -- sorry. Strike that.

22 Isn't it true that the way you're going to
23 respond to a person who is being recalcitrant, is
24 different from the way you're going to respond to
25 someone whom you've not -- who not being

1 recalcitrant?

2 **MS. KELLY:** Objection. Incomplete
3 hypothetical.

4 **THE COURT:** Over- -- it's not hypothetical.
5 Objection is overruled.

6 **MR. ALARIC-LORENZO:** His answer.

7 **THE WITNESS:** Rephrase that, please.

8 *BY MR. ALARIC-LORENZO*

9 Q. Isn't it true that the way you respond to an inmate
10 who is allegedly being recalcitrant, is different from
11 the way you would respond to an inmate who is not being
12 recalcitrant?

13 A. No, it is not, because it may be a rouse. You must
14 always be ready.

15 Q. I want you to please turn to Exhibit Number 1.
16 Yes, Number 1.

17 **MS. KELLY:** Is the binder up there?

18 **THE WITNESS:** I apologize, I don't have a
19 binder.

20 **THE COURTROOM DEPUTY:** Exhibit Number 1 is
21 placed before the witness.

22 *BY MR. ALARIC-LORENZO*

23 Q. Do you have Exhibit Number 1 in front of you?

24 A. Yes, Exhibit Number 1.

25 Q. You signed -- you've seen this document before,

1 correct?

2 A. Correct.

3 Q. And this is the injury or illness report relating
4 to the incident that happened on September 19, 2023,
5 correct?

6 A. Yes.

7 Q. And at the bottom of this document, that is your
8 signature under Item Number 7, correct?

9 A. Yes, it is.

10 **MR. ALARIC-LORENZO:** Your Honor, plaintiffs
11 move -- plaintiff moves to admit Exhibit Number 1.

12 **MS. KELLY:** No objection.

13 **THE COURT:** Received.

14 (WHEREUPON, an item was marked as Exhibit
15 Number 1.)

16 *BY MR. ALARIC-LORENZO*

17 Q. Deputy Ynigo, please turn to Exhibit Number 8.

18 A. Yes.

19 Q. Have you ever seen this sign before?

20 A. Yes.

21 Q. And you understand that the sign means that each
22 time an inmate is being escorted out of their cell or
23 housing location, they have to be cuffed in the rear?

24 A. Their housing location, yes.

25 Q. On September 19, 2023, did you cuff plaintiff

1 Jones' hands when you took him out to go take a shower?

2 A. He wasn't leaving his housing location, but, no, I
3 did not.

4 Q. Is the housing location different from a cell?

5 A. Yes.

6 Q. How?

7 A. There is the hard row that is secured by two doors
8 that are locked at all times. That is the housing
9 location of 7 inmates on 7,000 hard row.

10 Q. So, it is your contention that this row does not
11 apply to the floor where plaintiff --

12 (WHEREUPON, the reporter requested
13 clarification.)

14 BY MR. ALARIC-LORENZO

15 Q. So, is it your contention that the sign or the row
16 in Exhibit Number 8 is inapplicable to the row where
17 plaintiff is housed?

18 A. No, it is not.

19 MS. KELLY: Objection. Misstates testimony.
20 Argumentative.

21 THE COURT: You've got to stand up when you
22 make an objection.

23 MS. KELLY: Yes, Your Honor.

24 Objection. Misstates testimony, and
25 argumentative.

1 **THE COURT:** Overruled.

2 **MR. ALARIC-LORENZO:** His answer.

3 **THE WITNESS:** It applies.

4 *BY MR. ALARIC-LORENZO*

5 Q. Did you cuff Mr. Gay when you took him out of his
6 cell on the day of the incident?

7 A. I did not, no.

8 Q. When you reopened plaintiff's door on the day of
9 the incident to hand him over his shower bag, did you
10 cuff Plaintiff Jones?

11 A. I did not, no.

12 Q. Could you please turn to Exhibit Number 10.

13 Have you seen this document before?

14 A. Yes.

15 Q. Isn't it true that this is one of the policy memos
16 for employees at the Men's Central Jail?

17 A. Yes, it is.

18 Q. Do you see the area that I'm pointing to, starting
19 from "All door, sliders"? You see that?

20 A. Yes, I do.

21 Q. And if you permit me I'll just read very quickly.

22 It says, "All doors, sliders, gates, handcuffing ports
23 and cells shall be closed and secured at all times. Any
24 exceptions shall be approved by the on duty watch
25 commander. This includes, but is not limited to the

1 following:"

2 And then ...

3 Is a slider the same as a tray slot?

4 A. In what pretense?

5 Q. What is a slider?

6 A. A door, a gate.

7 Q. So, a cell gate is the same as a slider?

8 A. In what pretense?

9 Q. On plaintiff's row, what do you understand a slider
10 to be?

11 A. There are no sliders on his row.

12 Q. What is a handcuffing port?

13 A. That would be a tray slot.

14 Q. Where -- the handcuffing port on plaintiff's row,
15 closed, as per the policy on the day of the incident?

16 All of the handcuffing ports, were they
17 closed?

18 **MS. KELLY:** Objection. Vague and ambiguous as
19 to time on the day of the incident.

20 **THE COURT:** He can answer if he knows.

21 **THE WITNESS:** They were not at the time.

22 *BY MR. ALARIC-LORENZO*

23 Q. But you closed plaintiff's handcuffing port,
24 correct, on the day of the incident?

25 A. Yes, after his shower was complete, yes.

1 **MR. ALARIC-LORENZO:** Your Honor, at this time,
2 plaintiff moves to admit into evidence, Exhibit Number
3 10.

4 **THE COURT:** Received.

5 **MS. KELLY:** No objection.

6 (WHEREUPON, an item was marked as Exhibit
7 Number 10.)

8 *BY MR. ALARIC-LORENZO*

9 Q. Deputy Ynigo, can you please turn to Exhibit Number
10 11.

11 A. Yes.

12 Q. Have you seen this document before?

13 A. Yes.

14 Q. And you agree that the purpose of this order is to
15 set forth procedures regarding housing and escorting
16 inmates throughout the Men's Central Jail, correct?

17 A. Yes.

18 Q. Can you please turn to the second page of that
19 document.

20 **THE COURT:** Who underlined all of these
21 documents?

22 Did you underline these documents?

23 **MR. ALARIC-LORENZO:** Forgive me, Your Honor.

24 **THE COURT:** Did you underline these documents
25 in yellow?

1 Who did that?

2 **MR. ALARIC-LORENZO:** I think the defendants
3 did that.

4 **THE COURT:** I see.

5 Did you do that?

6 **MS. KELLY:** Yes, Your Honor.

7 **THE COURT:** That's not the way the document is
8 published. That was something you did, correct?

9 **MS. KELLY:** I'm sorry, Your Honor?

10 **THE COURT:** It was something you did. You did
11 the yellowing, right, or was it in that format when it
12 was issued?

13 **MS. KELLY:** I can't recall, Your Honor, this
14 was a Rule 26 production.

15 **THE COURT:** All right. Go ahead.

16 *BY MR. ALARIC-LORENZO*

17 Q. Please turn to the second page of Exhibit Number
18 11. And do you see the area where I'm pointing to?

19 A. Yes.

20 Q. Doesn't it say, "At no time will more than one
21 inmate be allowed onto the same row corridor"?

22 A. Yes.

23 Q. When you reopened plaintiff's cell door while
24 Mr. Gay was walking into the shower, were you in
25 compliance with this policy?

1 A. I'm not sure. Did he remain in the cell in the
2 video or did he come out into the row?

3 Q. When you reopened the door, were you in compliance
4 with this policy, "yes" or "no"?

5 A. I'm not sure.

6 Q. I need a "yes" or --

7 A. I'm not an expert, I'm sorry.

8 Q. You also see where I'm pointing to, the top
9 paragraph?

10 A. I do not.

11 Q. You don't see it?

12 A. I do not. Your screen --

13 **THE COURT:** What did you say? Oh, I see.

14 **THE WITNESS:** Yes.

15 *BY MR. ALARIC-LORENZO*

16 Q. And it does say, "At no time shall deputy personnel
17 permit," then there's redacted text, "inmates to approach
18 cell of another inmate on the row to accept any items or
19 engage in conversation," correct?

20 A. Correct.

21 Q. When you reopened plaintiff's cell door on the day
22 of the incident, wasn't Mr. Gay standing right there at
23 the shower door?

24 A. At the door, right, not his cell?

25 Q. Just answer.

1 A. Correct, yes.

2 Q. Were you in compliance with this policy, to your
3 knowledge?

4 A. I do not know.

5 Q. Do you see where I'm pointing at, the --

6 A. I do not.

7 Q. You see now?

8 A. Yes.

9 Q. It says, "All module gates and doors shall remain
10 in a locked position at all times, with the exception of
11 authorized use."

12 A. Correct.

13 Q. On the day of the incident giving rise to this
14 lawsuit, did you leave some of the doors inside
15 plaintiff's row, unlocked?

16 **MS. KELLY:** Objection. Vague and ambiguous as
17 it time on the day of the incident.

18 **THE COURT:** Overruled.

19 **MR. ALARIC-LORENZO:** You may answer.

20 **THE WITNESS:** What was in authorized use, yes.

21 *BY MR. ALARIC-LORENZO*

22 Q. The question is, did you leave any of the doors on
23 plaintiff's row at about the time of this incident,
24 giving rise to this lawsuit, unlocked?

25 A. Yes.

1 Q. Can you please turn to the top page. Do you see
2 where I point, the highlighted area of that page?

3 A. Yes.

4 Q. And it says, "Handcuffs, waste chains shall be used
5 when escorting," right?

6 A. Yes.

7 Q. Did you use a handcuff when you escorted Plaintiff
8 Gay to the shower on that day?

9 A. For a movement, no.

10 Q. Did you use a handcuff when you escorted Plaintiff
11 Jones to the shower on that day?

12 A. No, I did not.

13 Q. Did you use a waist chain?

14 A. No, I did not.

15 Q. Same for Mr. Gay; did you use a waist chain?

16 A. No, I did not.

17 Q. So it is fair to say you did not follow this
18 policy, correct?

19 **THE COURT:** What was that?

20 *BY MR. ALARIC-LORENZO*

21 Q. It is fair to say you did not follow this
22 particular policy, correct?

23 A. I would not know.

24 Q. You understand that it says that you have to use a
25 handcuff or a waist chain --

1 A. When escorted, yes.

2 Q. -- when escorting?

3 A. Yes.

4 Q. You escorted plaintiff to the shower, correct, on
5 the day of the incident?

6 A. It's more of a movement. It's not much of an
7 escort. An escort's like, when you go take someone to a
8 pass, you leave the facility, you leave their housing
9 location.

10 Q. So, it is your testimony that unless the inmate is
11 leaving the facility, that is movement and that is not
12 escorting, correct?

13 **MS. KELLY:** Misstates testimony, Your Honor.
14 Objection.

15 **THE COURT:** It's cross-examination. He can
16 ask the question.

17 *BY MR. ALARIC-LORENZO*

18 Q. Is it your testimony today that unless an inmate is
19 being removed from the Men's Central Jail, that would not
20 amount to escorting?

21 A. From their housing location as the sign says.

22 Q. Is the cell considered a housing location?

23 A. Some cells, yes.

24 Q. Forgive me.

25 Was plaintiff -- on September 19, 2023,

1 did -- was Plaintiff Jones' cell not considered his
2 housing location?

3 A. The 7,000 hard row is his housing location.

4 Q. So, does that also not mean that each time he's
5 removed from his cell he is supposed to be chained --
6 handcuffed or chained?

7 A. I don't understand what you're asking.

8 Q. I'll take it again.

9 You see the highlighted area.

10 A. Yes.

11 Q. And it says, "Handcuffs and all waist chains should
12 be used when escorting," correct?

13 A. Correct.

14 Q. My question then is, did you handcuff or use a
15 waist chain on Plaintiff Jones when you removed him from
16 his cell to go take a shower?

17 A. The day of the incident, I did not.

18 Q. Did you handcuff or use a waist chain on Mr. Gay
19 when you removed him from his cell and took him to go
20 take a shower?

21 A. On the day of the incident, I did not.

22 Q. Isn't it true that within a month of the incident,
23 so, starting from August 2023, August 1st or August 19,
24 or let's just say from August 1st, 2019 [sic] or 2023,
25 all the way to the date of the incident, isn't it true

1 that the inmates on that row were never cuffed each time
2 you took them out to go take a shower?

3 A. That's false.

4 Q. Do you not agree that at least that you have on
5 multiple occasions, taken inmates out of the housing
6 locations without handcuffing them?

7 A. Some inmates don't require handcuffs to leave their
8 housing locations, so, yes.

9 Q. So you agree that you've taken some of them out on
10 multiple occasions without cuffing them?

11 A. Yes, some inmates have low classification and don't
12 need handcuffs to leave.

13 Q. The inmates who need handcuffing. I'm asking about
14 the inmates that need to be handcuffed.

15 Do you or do you not agree that you've taken
16 them out of their cell on multiple occasions
17 without handcuffing them?

18 **MS. KELLY:** Objection. Relevance, Your Honor.
19 He's now asking about any inmates.

20 **THE COURT:** Well, I'm going to allow it. You
21 can ask him.

22 *BY MR. ALARIC-LORENZO*

23 Q. Please answer.

24 A. For any inmate, no.

25 Q. Please turn to Page 5, which is also marked as

1 joint Exhibit 11005.

2 Do you see the highlighted area -- highlight
3 text?

4 A. Yes.

5 Q. That's right below the heading "Showers" correct?

6 A. Yes.

7 Q. And it says, "Escort personnel shall handcuff,
8 maintain, and escort the inmate to the shower in boxer
9 shorts with a towel," correct?

10 A. Correct. At the top you see it's a roof policy. I
11 don't work the roof.

12 Q. And you agree that you did not do this when you
13 escorted plaintiff to the shower on the day of the
14 incident, correct?

15 A. Correct. I don't work the roof.

16 MS. KELLY: I'm sorry, what?

17 THE WITNESS: Exercise roof. Shower to roof,
18 the following umbrella.

19 BY MR. ALARIC-LORENZO

20 Q. No, I'm talking about this particular text that is
21 highlighted.

22 A. Where you're selecting the text?

23 Q. Yes.

24 A. Then, no.

25 Q. So you didn't follow this policy.

1 A. I did not, no.

2 Q. And then on page six of the same exhibit, do you
3 see the highlighted text?

4 A. Yes.

5 Q. And it says, "The inmate shall be allowed 15
6 minutes to shower handcuffed, per policy, and escorted
7 back to their cell," correct?

8 A. Yes.

9 Q. You would agree that you did not do this on the
10 day -- you did not do this to Plaintiff Jones on the day
11 of the incident.

12 A. On the day of the incident, correct.

13 **MR. ALARIC-LORENZO:** Your Honor, at this time,
14 plaintiff will move to admit into evidence Exhibit Number
15 11.

16 **THE COURT:** Received.

17 (WHEREUPON, an item was marked as Exhibit
18 Number 11.)

19 *BY MR. ALARIC-LORENZO*

20 Q. Deputy Ynigo, please turn to Exhibit Number 17.
21 Are you there?

22 A. Yes, I'm there.

23 Q. Have you seen this document before?

24 A. I do not know what document you're referring to.
25 Can you adjust your screen again, please?

1 Q. Oh, forgive me. Thank you.

2 Seventeen.

3 A. Yes.

4 Q. You can also look at the binder if you'd like.

5 A. I just want to make sure we're on the same page.

6 Q. You've seen this document before, correct?

7 A. Yes, I have.

8 Q. And it is -- the purpose of the document is to set
9 forth the policy and the procedures of the Men's Central
10 Jail regarding the operation of all general housing
11 locations, correct?

12 A. Correct.

13 Q. Can you please turn to Page Number 2 of that
14 exhibit.

15 A. Okay.

16 Q. And do you see where it says Item Number C -- Item
17 C? Sorry.

18 A. Correct.

19 Q. And it says, "Both the front sally port gates and
20 the outside hallway hard doors are to remain locked
21 unless in use," correct?

22 A. Correct.

23 Q. When you exited the row where the plaintiff is
24 housed after you kick the door on plaintiff, did you lock
25 the door leading to that row?

1 A. I did not.

2 **MR. ALARIC-LORENZO:** Your Honor, at this time,
3 plaintiff will move to admit into evidence Exhibit Number
4 17.

5 **THE COURT:** Any objection?

6 **MS. KELLY:** No objection, Your Honor.

7 **THE COURT:** Sustained -- it will be received.

8 (WHEREUPON, an item was marked as Exhibit
9 Number 17.)

10 *BY MR. ALARIC-LORENZO*

11 Q. Please turn to Exhibit Number 18, Deputy Ynigo.

12 A. Yes.

13 Q. Eighteen, yes.

14 Did you -- have you ever seen this document?

15 A. I have not.

16 Q. Please turn to Exhibit Number 21.

17 Are you there?

18 A. Yes.

19 Q. Have you ever seen this document?

20 A. Yes.

21 Q. And the document purports to lay out rules
22 regarding safety and security of cell gate operation,
23 correct?

24 A. Yes.

25 Q. And the doors on plaintiff's row are not cell

1 gates, correct?

2 A. No, they're hard doors.

3 Q. So, the difference between a hard door and a cell
4 gate is that the hard door has to be manually opened and
5 shut while the cell gate can be operated through -- can
6 be remotely controlled, correct?

7 A. No, they're also manually done.

8 **MR. ALARIC-LORENZO:** Your Honor, at this time,
9 plaintiff will move to admit into evidence Exhibit Number
10 21.

11 **THE COURT:** Objection?

12 **MS. KELLY:** Yes, Your Honor. It's not
13 relevant. This is a cell gate operation on a training
14 book.

15 **THE COURT:** Let me look at it here.

16 I'll reserve a ruling on this while we
17 finish the trial this afternoon. You can renew the
18 motion.

19 **MR. ALARIC-LORENZO:** Okay.

20 **MS. KELLY:** Yes, Your Honor, thank you.

21 *BY MR. ALARIC-LORENZO*

22 Q. So, Deputy Ynigo, it is your testimony that some of
23 the cell gates can be manually operated, correct?

24 A. Yes.

25 Q. And on Page 1 of Exhibit Number 21 --

1 **THE COURT:** I haven't received that yet, so
2 don't ask him about it.

3 **MR. ALARIC-LORENZO:** Okay, Your Honor.

4 *BY MR. ALARIC-LORENZO*

5 Q. Deputy Ynigo, it is true that you referred to
6 Plaintiff Larry Jones on September 19, 2023, or you did
7 tell -- isn't it true that you told Plaintiff Jones that
8 he's acting like an asshole at about the time that
9 incident, giving rise to this lawsuit occurred?

10 A. I wouldn't say that to a K10, no. That would ensue
11 a fight.

12 Q. When you say it would lead into a fight, are you
13 talking about a fight with the K10 -- with the inmate?

14 A. Yes, most K10s hold high regard for their respect,
15 and if they're disrespected, they generally fight you.
16 And that's why they're K10s or higher.

17 Q. Was -- to your knowledge, was Mr. Gay a K10 on the
18 day of the incident?

19 A. No, he was much higher.

20 Q. When you say, "Much higher," what does that mean?

21 A. He was a K19.

22 Q. And higher in what respect?

23 A. Well, the grading scale is anywhere from K1 through
24 9GP. And then K10 would be an inmate that assaults staff
25 members or they're a sexually violent predator, and then

1 they it just works its way up to there, all the way to
2 K20 where it caps out.

3 Q. And --

4 A. And it goes down every three months.

5 Q. So, when you opened Mr. Gay's door to let him out
6 to go shower --

7 A. Yes.

8 Q. -- isn't it true that you turned your -- you turned
9 around and you're facing the wall and back in his cell;
10 isn't that true?

11 A. Where was he in relation to me?

12 Q. When you opened Mr. Gay's cell door --

13 A. Correct.

14 Q. -- on the day of the incident to let him out to go
15 get a shower, isn't it true that at some point, you
16 turned around and you were back in his cell?

17 A. I was back inside of his cell, you said?

18 Q. No, you were back in his cell, so you were facing
19 the wall opposite to his cell door.

20 A. Where was he in relation to me?

21 Was he directly behind me?

22 Q. When you opened Mr. Gay's cell door on the day of
23 the incident, it took him some time to come out, correct?

24 A. Yeah, it's a 15-minute video. I don't know what
25 you're referring to. My back was towards the wall a few

1 times.

2 Q. To your knowledge --

3 A. Yes.

4 Q. -- on the day of the incident when you opened Mr.
5 Gay's cell door, it took him some time -- it took some
6 time for him to come out of the cell, correct?

7 A. Yes.

8 Q. And while you were waiting for him to come out, you
9 turned around and faced the wall that is directly
10 opposite his cell door, correct?

11 A. Yes.

12 Q. And it is also your testimony that Mr. Gay occupies
13 the highest rank of the dangerous inmates? He's a K19,
14 correct?

15 A. No.

16 Q. Do you know --

17 A. I said it caps out at K20. Nineteen comes before
18 20, sir.

19 Q. So he's one step away from the highest level --

20 A. Yes.

21 Q. -- of the case?

22 A. He executed two police officers, yes.

23 **MR. ALARIC-LORENZO:** Your Honor, I move to
24 strike that. Not relevant. Nonresponsive.

25 **THE COURT:** It's stricken. The jury is

1 instructed to disregard it.

2 BY MR. ALARIC-LORENZO

3 Q. You -- you testified that you would not tell
4 plaintiff that he's an asshole because plaintiff -- it
5 might lead into a fight, correct?

6 A. Yes.

7 Q. But then you are the same person who goes to open
8 the door of a K19 inmate who, according to you, has
9 killed two police officers. And then before he comes out
10 of the cell, you turn around and you're facing the wall
11 in the opposite direction, correct?

12 A. He was asking me about something on TV, yeah. I
13 did, yes, I turned my back.

14 Q. At that moment did you entertain any fear for your
15 safety?

16 A. Definitely.

17 Q. And that is how you show fear, by turning your back
18 to what you perceive to be fear or danger?

19 A. Not all the time, no.

20 Q. So, it is your testimony that at that point when
21 you're facing the wall -- when you are facing the wall,
22 forgive me, you couldn't see what Mr. Gay was doing,
23 correct?

24 Your eyes -- you don't have four eyes,
25 correct?

1 A. No, but I saw him on his bunk sitting down.

2 Q. I'm asking that at the time when you're facing the
3 wall and back in his cell door, could you see what
4 Mr. Gay was up to?

5 A. No, I was not.

6 Q. Is it your testimony that at that point you were
7 scared for your life?

8 A. No, not at that point, no.

9 Q. Did you harbor any fear for your safety at that
10 point?

11 A. No, I have a good rapport with Inmate Gay.

12 Q. Oh, do you have good -- sorry, what was it again?

13 Good what?

14 A. Rapport, sir.

15 Q. Oh, rapport.

16 A. Rapport.

17 Q. R-A-P-P-O-R-T?

18 A. Yes.

19 Q. Okay. You have a good rapport with Inmate Gay.

20 Do you have a good rapport with Plaintiff
21 Jones?

22 A. At the time, I thought so, yes. That's why I did
23 showers.

24 Q. You're not scared of Mr. Gay, because you have a
25 good rapport with him, correct?

1 A. Yes, but it could change at any second.

2 Q. And at the same time, you have a good rapport -- it
3 is your testimony that at that time you had a good
4 rapport with Plaintiff Jones, correct?

5 A. Yes.

6 Q. So, why do you think that calling him an asshole
7 would have lead to a fight?

8 A. Well, I don't believe I called him an asshole, sir.

9 Q. Isn't it true that you referred to Mr. Jones as a
10 motherfucker.

11 A. It is not true, no.

12 Q. You did not tell Mr. Gay that, in reference to
13 Mr. Jones, that this motherfucker is acting up?

14 You did not say -- you did not use those
15 words?

16 A. I believe you said the first time, this asshole is
17 acting up.

18 Q. After you have handed plaintiff his bag, did you
19 not turn to Mr. Gay -- did you not turn and ask Mr. Gay
20 to go back to his cell?

21 A. I asked him to either go back to his cell or get in
22 the shower.

23 Q. And did you not tell him as a reason for why you
24 were asking him to go back to his cell or get back in the
25 shower, did you not provide or supply as on a reason for

1 that, the fact that plaintiff is acting like a
2 motherfucker?

3 A. I did not, no.

4 Q. Mr. -- Deputy Ynigo.

5 A. Yes, sir.

6 **THE COURT:** It's past 5:00. How much longer
7 do you think you have to go with him?

8 **MR. ALARIC-LORENZO:** With the way it's going,
9 Your Honor, I think I might need 40 more minutes and come
10 back tomorrow.

11 **THE COURT:** We have to adjourn for the
12 evening. I thought the trial would go at a different
13 pace. Like I said, it's hard to predict. And, of
14 course, we were way late by the situation this morning.
15 But I am confident that we will finish the trial
16 tomorrow. So, you'll have the case probably in your
17 hands, certainly tomorrow, for a decision.

18 (WHEREUPON, the foregoing proceedings were
19 adjourned at 5:01 p.m.)

20 (Adjournment).

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C E R T I F I C A T E

I, April Lassiter-Benson, do hereby certify that the foregoing 34 pages are, to the best of my knowledge, skill and ability, a true and accurate transcript from my stenotype notes in the matter of:

LARRY JONES

vs.

COUNTY OF LOS ANGELES, ET AL

Dated this 1st day of November, 2024.

S/APRIL LASSITER-BENSON
Official Court Reporter
United States District Court
Central District of California